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RLCTO FILED
CAMERGE BURKE

Attorneys for Defendant, Micron Electronics, Inc.

## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

KIMBERLEY SMITH, MICHAEL B.	)
HINCKLEY, JACQUELINE T. HLADUN,	) Case No. CIV 01-0244-\$-BLW
MARILYN J. CRAIG, JEFFERY P.	)
CLEVENGER, and TIMOTHY C.	DEFENDANT'S MOTION TO FILE
KAUFMANN, individually and on behalf of	APPENDICES UNDER SEAL
those similarly situated,	)
Plaintiffs,	) 
vs.	
MICRON ELECTRONICS, INC., a Minnesota corporation,	
Defendant.	) )

Defendant Micron Electronics, Inc., pursuant to District of Idaho Local Civil Rule 5.3, hereby makes this Motion to Seal certain documents filed as appendices in support of Defendant's Response to Plaintiffs' Motion for Conditional Certification. Defendant seeks to file the following documents under seal:

DEFENDANT'S MOTION TO FILE APPENDICES UNDER SEAL - 1

- 1. Appendix A to Defendant's Response to Plaintiffs' Motion for Conditional Certification: "Plaintiff/Affiant Information Regarding Overtime Hours Recorded and Alleged Off the Clock Work from June 1, 1998 to May 31, 2001."
- Appendix B to Defendant's Response to Plaintiffs' Motion for Conditional Certification: "Claimant Information Regarding Overtime Hours Recorded and Alleged Off the Clock Work from June 1, 1998 to May 31, 2001."

These documents are attached Exhibits 1 and 2, respectively, to the concurrently-filed Affidavit of Gregory C. Tollefson in Support of Defendant's August 27, 2002 Motion to File Appendices Under Seal.

The Appendices were initially filed as attachments to Defendant's original Conditional Certification Response Brief, originally filed on August 21, 2002. However, in an abundance of caution relating to the duty of counsel to redact personal information filed with the Court, Defendant respectfully requests that these documents be filed under seal pursuant to the Stipulated Protective Order (docket no. 69).

For the convenience of the Court and opposing counsel, Appendices A and B are currently referenced at page 3, footnote 5, of Defendant's August 26, 2002 Response to Plaintiff's Motion for Conditional Certification.

DATED this 27<sup>th</sup> day of August, 2002.

STOEL RIVES LLP

Gregory C. Toffefson

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 27<sup>th</sup> day of August, 2002, a true and correct copy of the foregoing **DEFENDANT'S MOTION TO FILE APPENDICES UNDER SEAL** was served on the following individuals by the manner indicated:

William H. Thomas
Daniel E. Williams
Christopher F. Huntley
HUNTLEY, PARK, THOMAS,
BURKETT, OLSEN & WILLIAMS
250 S. Fifth Street, Suite 660
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[ ] By U.S. Mail
[/] By Hand Delivery
[ ] By Facsimile
[ ] By Overnight Delivery

Kim J Dockstader